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Attorneys for Plaintiffs  
FastCap, LLC and Paul Akers

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FASTCAP, LLC and PAUL AKERS,

Plaintiffs,

v.

ATLANTIC, INC. and JAMES  
DARDASHTI,

Defendants.

Case No: C - 08 - 05364 ~~EDL~~ MMC

STIPULATED DISMISSAL  
AND ORDER RETAINING  
JURISDICTION TO ENFORCE  
SETTLEMENT AGREEMENT

It is hereby stipulated and agreed between the parties to this action that judgment be entered as follows:

1. The Court has jurisdiction over the parties to this action and venue in this district is proper.

2. The parties have settled their dispute in this matter pursuant to the terms of that certain Settlement Agreement dated effective May 15, 2009, among the parties, the terms of which are incorporated herein.

3. The Court specifically retains jurisdiction to enforce the terms of this

Stip. Dismissal &  
Ord. Retaining Juris.

1 Judgment and the Settlement Agreement identified in paragraph 2 above, which  
2 may be enforced by a Motion To Enforce Settlement.

3 4. Except as otherwise set forth in paragraphs 2 and 3 above, the Court  
4 hereby dismisses Plaintiff's claims and Defendant's counterclaims with prejudice.

5 6. Each party hereto shall bear their own costs and attorneys fees herein.  
6


7 **FASTCAP, LLC**

8  
9 Dated: June 1, 2009

By:   
Paul Akers  
Its: President

12 **PAUL AKERS**

13  
14 Dated: June 1, 2009

By:   
Paul Akers

16 **ATLANTIC, INC**

17  
18 Dated: \_\_\_\_\_

By: \_\_\_\_\_

19  
20 Its: \_\_\_\_\_

22 **JAMES DARDASH TI**

23  
24  
25 Dated: \_\_\_\_\_

By: \_\_\_\_\_  
James Dardashti

26  
27 Stip. Dismissal &  
28 Ord. Retaining Juris.

1 Judgment and the Settlement Agreement identified in paragraph 2 above, which  
2 may be enforced by a Motion To Enforce Settlement.

3 4. Except as otherwise set forth in paragraphs 2 and 3 above, the Court  
4 hereby dismisses Plaintiff's claims and Defendant's counterclaims with prejudice.

5 6. Each party hereto shall bear their own costs and attorneys fees herein.

6  
7 **FASTCAP, LLC**

8  
9 Dated: \_\_\_\_\_ By: \_\_\_\_\_  
10 Its: President Paul Akers

11  
12 **PAUL AKERS**

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14 Dated: \_\_\_\_\_ By: \_\_\_\_\_  
15 Paul Akers

16 **ATLANTIC, INC**

17  
18 Dated: \_\_\_\_\_ By: \_\_\_\_\_  
19 Its: COO + General Counsel

20  
21 **JAMES DARDASHTI**

22  
23  
24  
25 Dated: \_\_\_\_\_ By: \_\_\_\_\_  
26 James Dardashti

27 Stip. Dismissal &  
28 Ord. Retaining Juris.

**APPROVED AS TO FORM:**

Dated: June 1, 2009

By: /s/ Michael James Cronen  
Michael James Cronen, Esq.

Attorney for Plaintiffs,  
FastCap, LLC and Paul Akers

Dated: June 1, 2009

By: /s/Daniel M. Cislo  
Daniel M. Cislo, Esq.

Attorney for Defendants,  
Atlantic, Inc. and James  
Dardashti

**JUDGMENT**

IT IS SO ORDERED AND ADJUDGED.

Dated: June 24, 2009

  
United States District Judge

Stip. Dismissal &  
Ord. Retaining Juris.